

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

TIMOTHY J. FAST,
on behalf of himself and all
others similarly situated,

Plaintiff,

v.

Case No.: 16-CV-1637

CASH DEPOT, LTD.,

Defendant.

DECLARATION OF JODI ARNDT LABS IN SUPPORT OF
DEFENDANT'S REPLY BRIEF

I, Jodi Arndt Labs, declare as follows:

1. I am a shareholder and attorney at the Law Firm of Conway, Olejniczak & Jerry, S.C., legal counsel for Defendant, Cash Depot, Ltd. ("Cash Depot").

2. I submit this Declaration in Support of Defendant's Reply Brief on Defendant's Motion to Dismiss for Mootness Grounds and Motion for Summary Judgment.

3. I participated in the teleconference meeting with Attorney James Walcheske and Amy Bradley on July 20, 2017 wherein we went over Schenck's wage calculations, including the methodology Amy Bradley and her team applied. During the July 20th discussion we explained to Attorney Walcheske that Schenck's formula factored in the fact that Cash Depot had already paid Mr. Fast overtime on all hours worked in excess of 40 hours per workweek at the overtime rate of 1.5 times his normal hourly rate of \$15.00.

4. As part of Cash Depot's responses to Mr. Fast's First Set of Interrogatories and Request for Production of Documents ("Cash Depot's Discovery Responses"), Cash Depot

provided Mr. Fast and his legal counsel with copies of his weekly timesheets. Attached as **Exhibit 1** is a true and correct copy of the timesheets we provided to Mr. Fast; they were attached as part of Exhibit A to Cash Depot's Discovery Responses.

5. Cash Depot also provided a copy of a payroll register that showed the wages paid to Mr. Fast during each pay period, including a break down on the number of regular pay hours, overtime hours, on call pay, vacation pay, holiday pay, etc. Attached as **Exhibit 2** is a true and correct copy of the Payroll Register Cash Depot provided to Mr. Fast; the Payroll Register was also part of Exhibit A to Cash Depot's Discovery Responses. The Payroll Register confirms that Cash Depot paid overtime compensation at the rate of \$22.50/hour for each hour of overtime Mr. Fast worked during a workweek.

6. None of the former or current employees Cash Depot paid the additional overtime that Schenck had determined was owed to them have raised any objections to Cash Depot concerning such payment.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of September, 2017 at Green Bay, Wisconsin.

/s/ Jodi Arndt Labs